



**PATENT**

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:** Fallaux et al.

**Serial No.:** 10/618,526

**Filed:** July 11, 2003

**For:** PACKAGING SYSTEMS FOR  
HUMAN RECOMBINANT ADENOVIRUS  
TO BE USED IN GENE THERAPY

**Confirmation No.:** 5055

**Examiner:** S. Priebe, Ph.D.

**Group Art Unit:** 1633

**Attorney Docket No.:** 2578-3833.9US

**NOTICE OF EXPRESS MAILING**

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Person making Deposit: Drew Greenhalgh

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
37 C.F.R. § 1.97(d)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability and pursuant to 37 C.F.R. §§ 1.56 & 1.97(d), it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO/SB/08 be considered by the Examiner and made of record. Copies of any cited foreign patents, publications, or pending unpublished U.S. applications are enclosed pursuant to 37 C.F.R. § 1.98(a)(2).

10/29/2007 EAYALEW1 00000052 10618526

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180.00 DP

Foreign Patent Documents

<u>Document No.</u>	<u>Publication Date</u>	<u>Patentee</u>
WO 95/11984	05-04-1995	Canji, Inc.

Other Documents

European Opponent's Statement on Grounds of Appeal dated September 14, 2007.

Figure 2 by Opponent 01 (D52).

VAN DEN ELSEN, et al., The relationship between region E1a and E1b of human adenoviruses in cell transformation, *Gene*, 18(2):175-85 (1982) (D53).

KAWARABAYASI et al., Structure of viral DNA in a rat cell line transformed by the cloned EcoRI-C fragment of adenovirus 12, *Nucleic Acids Research*, 1985, pp. 6591-604, Vol. 13, No. 18 (D54).

KIMURA et al., Nucleotide sequence of the transforming early region E1b of adenovirus type 12 DNA: structure and gene organization, and comparison with those of adenovirus type 5 DNA, *Nucleic Acids Research*, 9(23):6571-89 (1981), (D55).

Pursuant to Rule 97(d) and (e), applicants certify:

(1) That each item of information contained in the information disclosure statement was first cited in any communication (*i.e.*, Opponent's Statement on Grounds of Appeal dated September 14, 2007) from a foreign patent office (*i.e.*, the European Patent Office) in a counterpart foreign application (*i.e.*, EP 96 917 735.1) not more than three months prior to the filing of this supplemental information disclosure statement.

The fee pursuant to 37 C.F.R. § 1.17(p) is enclosed. Applicants' representatives' deposit account may be charged for any delinquency.

Serial No.: 10/618,526

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. C. Turner', with a long horizontal flourish extending to the right.

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Enclosures: Form PTO/SB/08

Cited Non-U.S. Patent Documents

Check for fee pursuant to Rule 17(p)